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5 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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7 UNITED STATES OF AMERICA, ) Case No.: 2:10-CR-456-LDG-VCF  
8 Plaintiff, )  
vs. )  
9 JASON WILEY, )  
10 Defendant. )  
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12 The United States of America by and through its attorneys, DANIEL G. BOGDEN,  
13 United States Attorney, and ADAM FLAKE, Assistant United States Attorney, respectfully  
14 requests that this Court grant a 30-day continuance of the due date for Defendant Jason Wiley's  
15 former counsel, Bret Whipple, to provide an affidavit responding to Wiley's allegation of  
16 ineffective assistance.

17 On February 20, 2015, pursuant to the government's motions, this Court ordered the  
18 attorney client-privilege waived with respect to allegations in Wiley's 28 U.S.C. § 2255 motion,  
19 ordered counsel Bret Whipple to provide the government with an affidavit responding to those  
20 allegations within 30 days (*i.e.*, March 23, 2015), and ordered the government to respond to  
21 Wiley's 28 U.S.C. § 2255 motion within 30 days of receiving Whipple's affidavit. *See* CR 209,  
22 210. On February 27, the undersigned spoke with Whipple, who stated that he is engaged in a  
23 lengthy trial and does not believe he will be able to provide an affidavit within the time  
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1 provided by the court, but does believe that he could provide the affidavit if given an additional  
2 30 days.

3 Accordingly, the government requests that this Court reset the due date for Whipple's  
4 affidavit to April 23, 2015, and reset the government's date for responding to Wiley's affidavit  
5 to 30 days from the date the government receives the affidavit.

6 **CONCLUSION**

7 WHEREFORE, based on the foregoing, the government requests that this Court reset the  
8 due date for Whipple's affidavit to April 23, 2015, and reset the government's date for  
9 responding to Wiley's affidavit to 30 days from the date the government receives the affidavit.

10 Dated this 3<sup>rd</sup> day of March, 2015.

11 DANIEL G. BOGDEN  
United States Attorney

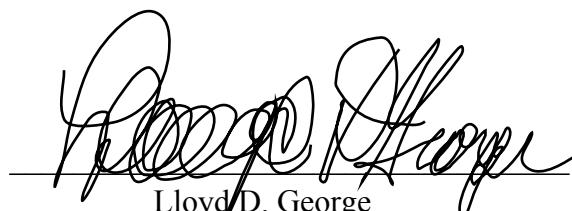
12 s/  
13 ADAM FLAKE  
14 Assistant United States Attorney

15  
16 ORDER

17 IT IS SO ORDERED.

18 DATED this 6th day of March, 2015.

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Lloyd D. George  
Sr. U.S. District Judge